

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re the application of: YOUNES et al.
Serial No.: 09/558,589
Filed on: April 26, 2000
Title: NON-DISRUPTIVE MONITORING OF TRAFFIC
FLOWS IN A CONNECTION-ORIENTATED PACKET
NETWORK
Atty's Docket No.: 53921/00079

Box DAC
Assistant Commissioner for Patents
Washington, D.C. 20231
USA

PETITION PURSUANT TO 37 C.F.R. 1.47(a)

Sir:

By their undersigned attorneys, Alcatel Canada Inc. hereby requests that the above-identified application be accepted as filed by Messrs. Charles Mitchell and Tara Janke on behalf of themselves, and on behalf of Mr. Amro A. Younes., Messrs. Mitchell, Janke and Younes are joint inventors in the above-referenced application. Mr. Younes was presented with the application papers and has refused to execute the declaration.

The pertinent facts in support of this petition are set out in the affidavit of Mr. John A. Granchelli, attached hereto. This affidavit establishes the diligent efforts made to secure the execution of a Rule 1.63 Declaration by Mr. Younes for the above-identified application.

A Declaration executed by Messrs. Mitchell and Janke on behalf of themselves (pursuant to Rule 1.63) and on behalf of the non-signing inventor, Mr. Younes (pursuant to Rule 1.64), is enclosed herewith.

11/15/2000 HBERHE 00000028 022553 09558589
05 FC:122 130.00 OP

The last known address of Mr. Younes is:

1537 Vista Club Circle
Santa Clara, California, 95154
U.S.A.

The mailing address for what is believed to be the current workplace of Mr. Younes is:

Cisco Systems, Inc.
170 West Tasman Drive
Mail Stop SJC 3 / 3 / 4
San Jose, California, 95134-1706
U.S.A.

Please find enclosed a cheque in the amount of \$130.00 for the petition fee required by 37 C.F.R. 1.17(i).

Alcatel Canada Inc. respectfully solicits that the present petition be granted.

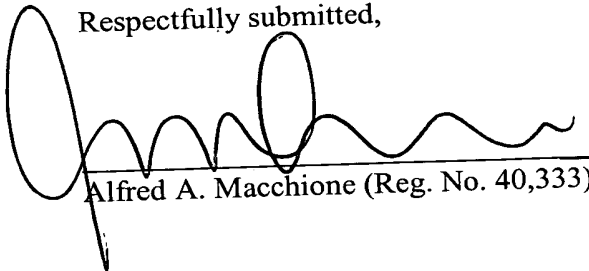
Should any official of the Patent Office wish to contact us with regards to this matter, the call should be made to Alfred A. Macchione at (416) 863-2463.

10 Nov 2000

Date

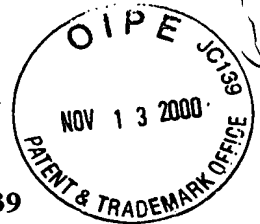
Blake, Cassels & Graydon LLP
Intellectual Property Group
P.O. Box 25, Commerce Court West
Toronto, Ontario, M5L 1A9
Canada
Telephone: 416.863.2463
Facsimile: 416.863.2653

Respectfully submitted,



Alfred A. Macchione (Reg. No. 40,333)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re the application of: YOUNES et al. Group Art Unit: 2739
Serial No.: 09/558,589
Filed: April 26, 2000 Examiner: Not Known

Title: NON-DISRUPTIVE MONITORING OF TRAFFIC FLOWS IN
A CONNECTION-ORIENTATED PACKET NETWORK

**AFFIDAVIT IN SUPPORT OF APPLICATION FOR PATENT FILED ON
BEHALF OF AN INVENTOR REFUSING TO EXECUTE THE
APPLICATION DOCUMENTS UNDER 37 C.F.R. 1.47(a)**

Box DAC
Assistant Commissioner for Patents
Washington, D.C., 20231
USA

Sir:

I, the undersigned JOHN A. GRANCHELLI, residing and domiciled at 13 Speers Crescent, in the City of Kanata, Province of Ontario, Canada, having been duly sworn, do hereby declare, depose and say as follows:

1. I am a patent agent registered to practise before the United States Patent and Trademark Office on behalf of Canadian applicants. I am also Manager of Intellectual Property at Alcatel Canada Inc., which was formerly known as Alcatel Networks Corporation, and previously to that, was formerly known as Newbridge Networks Corporation (hereinafter "my company"). In that capacity, I am responsible for all patent related matters at my company, including oversight of the preparation, filing and prosecution of patent applications on behalf of my company. As such, I have a personal knowledge of the facts set out in this my Affidavit.

2. Amro A. Younes, Charles Mitchell and Tara Janke are joint inventors of the above-identified patent application, United States Serial No. 09/558,589, entitled "Non-Disruptive Monitoring of Traffic Flows in a Connection-Orientated Packet Network" (hereinafter "the '589 patent application").
3. The subject '589 patent application was filed on April 26, 2000, with an unexecuted copy of a Rule 1.63 Declaration naming the said Messrs. Younes, Mitchell and Janke as joint inventors.
4. As set out more fully in the paragraphs which follow, Mr. Younes has failed to respond to my repeated requests to have a Rule 1.63 Declaration executed for the said application. Moreover, the conduct of Mr. Younes in this matter has led me to believe that Mr. Younes does not intend to execute the Rule 1.63 Declaration for the '589 patent application. The facts upon which I base my conclusion are set out below in chronological order.
5. The invention described and claimed in the '589 patent application was made during a period in which Mr. Younes was in the employment of my company. Mr. Younes ceased in his employment with my company earlier in this current year.
6. On or before March 3, 2000, and subsequent to Mr. Younes having left the employment of my company, I attempted to contact Mr. Younes by telephone at the place of business of his new employer, Cisco Systems Inc. of San Jose, California. I was not successful in connecting with Mr. Younes at that time, so I left a voicemail message for him explaining the need to have a Rule 1.63 Declaration executed for the '569 patent application and requesting that he do so.

7. On or before March 3, 2000, in response to the said voicemail message, Mr. Younes attempted to contact me by telephone at my company. As he was not successful in connecting with me at that time, Mr. Younes left a voicemail message for me requesting clarification as to what would be required of him.
8. On or about March 3, 2000, I dispatched an e-mail message to Mr. Younes to follow up on my said previous voicemail message and to respond to Mr. Younes' request for clarification. A copy of the said e-mail message is now shown to me and marked as Exhibit "A" to this my Affidavit. The subject line of the e-mail message reads "TACs patent application" in reference to Test Access Connection (TAC) capability and serves to identify the subject matter of the '569 patent application. In the e-mail, I explained the need for the execution of application documents for the subject case. This included a Rule 1.63 Declaration. I also reminded Mr. Younes of his legal obligation as a former Newbridge employee that he is required to take any action necessary to protect my company's intellectual property. I suggested to Mr. Younes that I could meet him personally in San Jose, California, between March 8th and 10th, to sign the documents in question. Moreover, I made the alternative suggestion to Mr. Younes that I could courier the documents to him, if that were preferable to him.
9. In my said e-mail message to Mr. Younes, I make reference to documents having been previously executed by Mr. Younes in connection with this patent application and to the need to re-file the patent application with newly executed documents. For the sake of clarity, I will briefly explain the context of these statements by setting out a brief history of the prosecution of the above-identified case in the paragraphs that follow.
10. The invention was first described in a non-provisional patent application bearing United States Serial No. 09/300,832, and entitled "Non-Disruptive

Monitoring of Traffic Flows in a Connection-Orientated Packet Network”
(hereinafter “the ‘832 patent application”).

11. The ‘832 patent application was filed with the United States Patent and Trademark Office on April 28, 1999, with an executed copy of a Rule 1.63 Declaration naming the said Messrs. Younes, Mitchell and Janke as joint inventors. This executed copy of a Rule 1.63 Declaration was one of the documents signed by Mr. Younes to which I refer in my said e-mail message. A copy of the said executed Rule 1.63 Declaration is now shown to me and marked as Exhibit “B” to this my Affidavit.
12. The ‘832 patent application was not assigned a filing date by the United States Patent and Trademark Office because the specification did not contain at least one claim as then prescribed by 35 U.S.C. 112.
13. In an attempt to retain a filing date of April 28, 1999 for the ‘832 patent application, a petition under 37 CFR 1.53(b)(2)(ii) was submitted to the United States Patent and Trademark Office to convert the ‘832 patent application to a provisional application. The petition was granted and the ‘832 patent application was effectively converted to a provisional patent application bearing serial number 60/135,104, with a filing date of April 28, 1999.
14. These events led to the filing of a non-provisional case claiming priority under 35 U.S.C. 120 from the said provisional application, more particularly, the filing of the said ‘589 patent application. I was advised by my patent counsel, Messrs. Blake, Cassels & Graydon LLP, that a newly executed copy of a Rule 1.63 Declaration for the ‘569 patent application would likely be required.

15. Returning now to the circumstances that have led to the filing of the 37 C.F.R. 1.47(a) Petition to which the present Affidavit relates, later that same day on or about March 3, 2000, I received an e-mail message from Mr. Younes. A copy of the said e-mail message is now shown to me and marked as Exhibit "C" to this my Affidavit. In his e-mail message, Mr. Younes indicated that he would sign the application documents in question if I could deliver them while being present in San Jose. In addition, Mr. Younes asked me to provide him with duplicate copies of the documents for his records. In the event that we would fail to meet each other, Mr. Younes suggested that the exchange of documents could take place by courier.
16. On or about March 7, 2000, I dispatched another e-mail message to Mr. Younes to inform him that I would be arriving in San Jose on Wednesday, March 8, 2000, at approximately 3:00 P.M. and that I would be contacting him upon my arrival to arrange for a meeting with him at a time and place he would consider convenient. A copy of the said e-mail message is now shown to me and marked as Exhibit "D" to this my Affidavit.
17. Upon my arrival in California on or about March 8, 2000, I attempted to contact Mr. Younes at Cisco Systems, Inc., his place of work in San Jose, from my hotel in Sunnyvale. I was unable to reach him. I therefore left Mr. Younes a voicemail message urging him to call me to arrange a convenient time and place for us to meet for execution of the said application documents.
18. To my knowledge, Mr. Younes did not contact me during my stay in California. As a result, the intended meeting between myself and Mr. Younes did not occur.

19. On or about March 15, 2000, I dispatched yet another e-mail message to Mr. Younes; a copy of which is included in Exhibit "D". In this e-mail message, I indicated that since we had been unable to arrange a meeting in California, the exchange of the application documents in question would proceed by courier. I further requested that Mr. Younes provide me with an address where the documents could be sent.
20. Later that same day, I received an e-mail message from Mr. Younes. A copy of the said e-mail message is now shown to me and marked as Exhibit "E" to this my Affidavit. In his e-mail message, Mr. Younes indicated that the application documents in question could be sent to his place of work, and he provided me with the relevant mailing address.
21. I responded to Mr. Younes on that same day with an e-mail message, a copy of which is now shown to me and marked as Exhibit "F" to this my Affidavit. In this reply e-mail message, I indicated to Mr. Younes that my assistant, Shirley Harbers, was away from the office and the application documents in question would be sent to him upon her return to the office on March 20, 2000.
22. By March 21, 2000 or thereabout, my assistant, Shirley Harbers, sent the Rule 1.63 Declaration and a copy of the subject application to Mr. Younes at the mailing address he had previously specified to me.
23. On or about April 24, 2000, and after not having received the executed documents in question from Mr. Younes, I forwarded an e-mail message to Mr. Younes reminding him to sign the said documents and return them to me. The said e-mail reminder is now shown to me and marked as Exhibit "G" to this my Affidavit.

24. No response was received by my company from Mr. Younes before the filing date for the subject application of April 26, 2000. Accordingly, an unexecuted copy of a Rule 1.63 Declaration was filed with the United States Patent and Trademark Office along with the '589 patent application.
25. On or about May 16, 2000, I sent a further e-mail message to Mr. Younes in what I considered to be a final attempt to have the relevant application documents executed and returned to my company. I indicated to Mr. Younes that I was surprised at his apparent unwillingness to co-operate in executing the application documents. I let Mr. Younes know that if I did not receive a response from him within the next week, I would presume that he did not intend to return the application documents signed. Finally, I invited Mr. Younes to contact me to discuss the matter further. A copy of the said e-mail message is now shown to me and marked as Exhibit "H" to this my Affidavit.
26. I have not received any response from Mr. Younes regarding my said e-mail message of May 16, 2000.
27. To date, I have not received an executed version of the Rule 1.63 Declaration which I provided to Mr. Younes for the '569 patent application. I have no reason to believe that Mr. Younes will be providing my company with an executed version of the said Declaration.


I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true. Further, I hereby declare that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such wilful false statements

may jeopardize the validity of the subject patent application or any patent issued thereon.

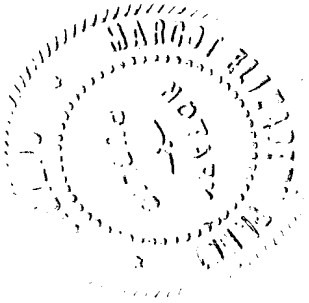
SWORN BEFORE ME at the)
CITY of KANATA in the)
 Province of Ontario, this 9TH day)
 of November, 2000.)

01 November, 2000.

Margaret Brent
A Notary Public in and for the Province of Ontario




John A. Granchelli
(Reg. No. 39,512)





This is Exhibit "A" to the
Affidavit of John A. Granchelli
Sworn before me on this 9th day of November, 2000.


A Notary Public in and for
the Province of Ontario

Subject: TACs patent appl

Date: Fri, 03 Mar 2000 13:05:30 -0800

From: John Granchelli <jgranche@newbridge.com>

Organization: Newbridge Networks Corporation

To: ayounes@cisco.com, amroyounges@hotmail.com

CC: SHIRLEY HARBERS <sharbers@newbridge.com>



Amro:

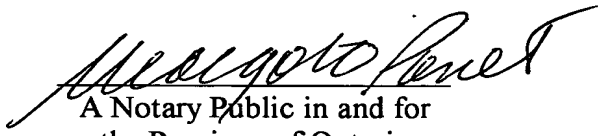
As I indicated in the message that I left on your voicemail, the documents that you had signed in connection with this patent application were not executed properly - the lawyers erred. Therefore, we need to re-file the patent application with newly executed documents. These are the same documents that you had signed previously (Declaration and Assignment documents), not further documents, and I'm not asking you to do any more than your legal obligation to Newbridge (all employees of Newbridge agree to take any action necessary to protect the company's intellectual property and this obligation continues even after termination of employment).

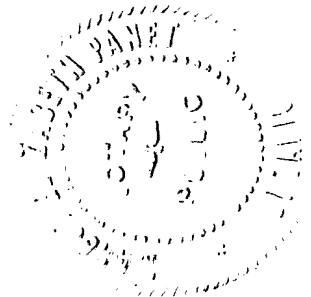
I hope the above explanation is satisfactory - please advise otherwise. If you are agreeable to signing the documents, let me know whether it will be convenient for us to meet between March 8-10 (Wednesday to Friday of next week) or sending the documents by courier is preferable to you.

Thanks, John



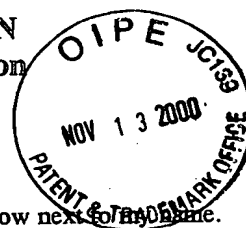
This is Exhibit "B" to the
Affidavit of John A. Granchelli
Sworn before me on this 9th day of November, 2000.


A Notary Public in and for
the Province of Ontario



DECLARATION
Utility Application

DOCKET INFORMATION
53921/13



As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventory of the subject matter which is claimed and for which a patent is sought on the invention entitled NON-DISRUPTIVE MONITORING OF TRAFFIC FLOWS IN A CONNECTION-ORIENTATED PACKET NETWORK, the specification of which

Check One

☒ is attached hereto.

☐ was filed on _____ as

Application Serial No. _____

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a). I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Application Number	Country	Date of Filing	Priority Yes/	Claimed No/
2,236,190	Canada	April 28, 1998	X	

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Number	Date of Filing	Status — Patented, Pending or Abandoned



201	FULL NAME OF INVENTOR		FIRST Name Amro	Middle Initial(s) A.	LAST Name Younes	
	RESIDENCE & CITY CITIZENSHIP		State or Foreign Country		Country of Citizenship	
	Santa Clara		U.S.		Canadian	
POST OFFICE ADDRESS		Post Office Address		City	State or Country	Zip Code
1537 Vista Club Circle				Santa Clara	California, U.S.A.	95154

202	FULL NAME OF INVENTOR		FIRST Name Charles	Middle Initial(s)	LAST Name Mitchell	
	RESIDENCE & CITY CITIZENSHIP		State or Foreign Country		Country of Citizenship	
	Nepean		Canada		Canada	
POST OFFICE ADDRESS		Post Office Address		City	State or Country	Zip Code
78 Summerwalk Place				Nepean	Ontario, Canada	K2G 5Y4

203	FULL NAME OF INVENTOR		FIRST Name Tara	Middle Initial(s)	LAST Name Janke	
	RESIDENCE & CITY CITIZENSHIP		State or Foreign Country		Country of Citizenship	
	Ottawa		Canada		Canadian	
POST OFFICE ADDRESS		Post Office Address		City	State or Country	Zip Code
809-1320 Richmond Road				Ottawa	Ontario, Canada	K2B 8L3

204	FULL NAME OF INVENTOR		FIRST Name	Middle Initial(s)	LAST Name	
	RESIDENCE & CITY CITIZENSHIP		State or Foreign Country		Country of Citizenship	
	POST OFFICE ADDRESS		Post Office Address		City	State or Country

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 201	
Date	April 22, 1999

Signature of Inventor 203	
Date	April 26, 1999

Signature of Inventor 202	
Date	April 26, 1999

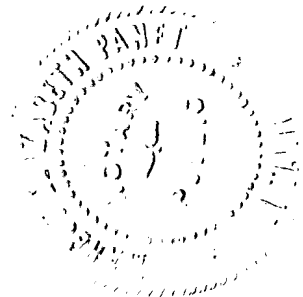
Signature of Inventor 204	
Date	

Signatures should conform to names as presented at 201 et seq. above.



This is Exhibit "C" to the
Affidavit of John A. Granchelli
Sworn before me on this 9th day of November, 2000.


A Notary Public in and for
the Province of Ontario





Subject: Re: TACs patent appl

Date: Fri, 03 Mar 2000 17:24:12 -0800

From: Amro Younes <ayounes@cisco.com>

Organization: Cisco Systems, Inc.

To: JOHN GRANCHELLI <jgranche@newbridge.com>



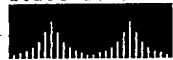
Hi John,

I will be here next week, however on the 10th I am flying out, so you can drop them off and I will sign. Can you please provide duplicate copies as I want to keep one for my records. If we fail to meet each other by the 10th, we'll do this by courier.

Have a good weekend, and say hi to Lynne for me.

Take care...Amro

CISCO SYSTEMS

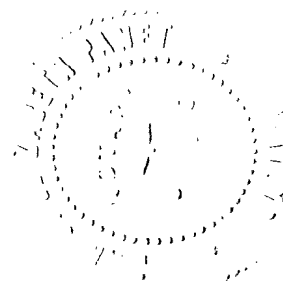


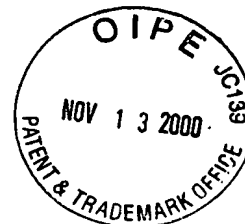
EMPOWERING THE
INTERNET GENERATION™

Amro A. Younes
Software Engineer

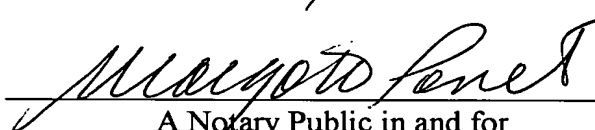
<ayounes@cisco.com>

Cisco Systems, Inc
PNNI Networking, MSSBU

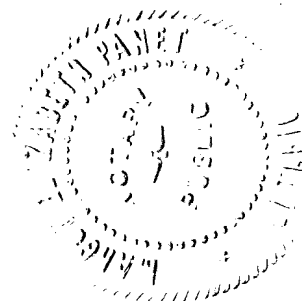




This is Exhibit "D" to the
Affidavit of John A. Granchelli
Sworn before me on this 9th day of November 2000.



A Notary Public in and for
the Province of Ontario





Subject: [Fwd: Re: TACs patent appl]

Date: Wed, 15 Mar 2000 14:27:46 -0500

From: "JOHN GRANCHELLI" <jgranche@newbridge.com> **Internal**

Organization: Newbridge Networks Corporation

To: ayounes@cisco.com

CC: SHIRLEY HARBERS <sharbers@newbridge.com>

Hi Amro:

Since we were not able to meet while I was visiting Sunnyvale, we'll use a courier to exchange the documents. Please let me know where to send them.

Thanks, John

----- Original Message -----

Subject: Re: TACs patent appl

Date: Tue, 07 Mar 2000 14:11:47 -0800

From: John Granchelli <jgranche@newbridge.com>

Organization: Newbridge Networks Corporation

To: Amro Younes <ayounes@cisco.com>

References: <38C02919.4096AD20@newbridge.com>

<38C065BC.B4DFA53D@cisco.com>

Hi Amro:

Thanks for your reply.

I will be arriving in San Jose at approx. 3pm on Wednesday. I'll try to call you from the airport, as I believe your office is in San Jose. If I can't reach you then, I'll try again once I check in at the hotel which is in Sunnyvale. We can meet when and where it is convenient for you, as long as I can find my way around.

Cheers, John

Amro Younes wrote:

> Hi John,

>

> I will be here next week, however on the 10th I am flying out, so you

>

> can drop them off and I will sign. Can you please provide duplicate

>

> copies as I want to keep one for my records. If we fail to meet each

>

> other by the 10th, we'll do this by courier.

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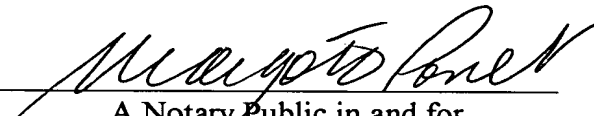
> Have a good weekend, and say hi to Lynne for me.

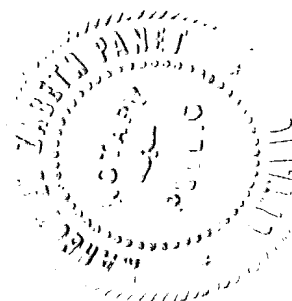
>

> Take care...Amro



This is Exhibit "E" to the
Affidavit of John A. Granchelli
Sworn before me on this 9th day of November, 2000.


A Notary Public in and for
the Province of Ontario



Re: [Fwd: Re: TACs patent appl]

Subject: R : [Fwd: Re: TACs patent appl]
Date: Wed, 15 Mar 2000 11:36:13 -0800
From: Amro Younes <ayounes@cisco.com>
Organization: Cisco Systems, Inc.
To: JOHN GRANCHELLI <jgranche@newbridge.com>



Hi John,


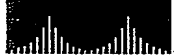
You can send the documents to my work address as they will handle courier signatures and then deliver them to me.

My mailing address:

Amro Younes
Cisco Systems, Inc.
170 West Tasman Drive
Mail Stop SJC 3/3/4
San Jose, CA 95134-1706
U.S.A

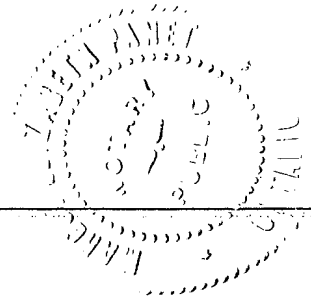
Telephone Number: 408-525-4464.

Amro

**CISCO SYSTEMS**

POWERING THE
INTERNET GENERATION

Amro A. Younes
Software Engineer

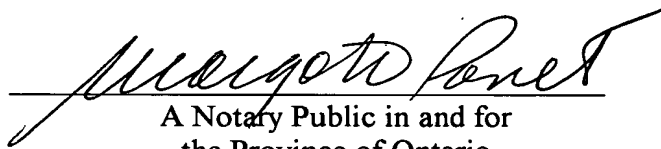
<ayounes@cisco.com>
Cisco Systems, Inc
PNNI Networking, MSSBU

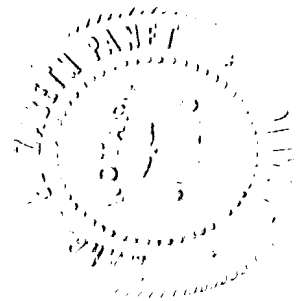






This is Exhibit "F" to the
Affidavit of John A. Granchelli
Sworn before me on this 9TH day of November, 2000.


A Notary Public in and for
the Province of Ontario





Subject: Re: [Fwd: Re: TACs patent appl]

Date: Wed, 15 Mar 2000 16:08:05 -0500

From: "JOHN GRANCHELLI" <jgranche@newbridge.com>

Internal

Organization: Newbridge Networks Corporation

To: Amro Younes <ayounes@cisco.com>

CC: SHIRLEY HARBERS <sharbers@newbridge.com>

Hey Amro,

My assistant is away for March break, back next Monday. We'll send them to you then.

Thanks, John

Amro Younes wrote:

> Hi John,
>
> You can send the documents to my work address as they will handle
>
> courier signatures and then deliver them to me.
>
> My mailing address:
>
> Amro Younes
>
> Cisco Systems, Inc.
>
> 170 West Tasman Drive
>
> Mail Stop SJC 3/3/4
>
> San Jose, CA 95134-1706
>
> U.S.A
>
> Telephone Number: 408-525-4464.
>
> Amro



This is Exhibit "G" to the
Affidavit of John A. Granchelli
Sworn before me on this 9th day of November, 2000.


A Notary Public in and for
the Province of Ontario

Subject: Patent papers

Date: Mon, 20 Apr 2000 16:16:51 -0400

From: John Granchelli <jgranche@newbridge.com>

Organization: Newbridge Networks Corporation

To: Amro Younes <ayounes@cisco.com>

CC: SHIRLEY HARBERS <sharbers@newbridge.com>



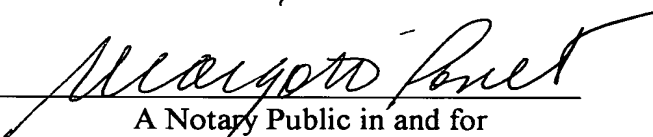
Hi Amro:

As we haven't heard from you, this is a reminder to sign and return the documents in connection with the TACs patent application. Shirley sent them to you a few weeks back. Let me know if you have any questions or concerns.

Thanks, John



This is Exhibit "H" to the
Affidavit of John A. Granchelli
Sworn before me on this 9th day of November, 2000.


A Notary Public in and for
the Province of Ontario

5392117
410-121



Subject: Re: Patent papers

Date: Tue, 16 May 2000 16:50:58 -0400

From: John Granchelli <jgranche@newbridge.com>

Organization: Newbridge Networks Corporation

To: Amro Younes <ayounes@cisco.com>

CC: SHIRLEY HARBERS <sharbers@newbridge.com>



Hi Amro:

I thought that I would make a last attempt to request that you return the signed documents required to complete filing formalities for the TAC patent application. Failing to hear from you by the end of this week, I shall presume that you do not intend to return those documents.

I apologize if I am misconstruing this situation, but I am surprised by your apparent unwillingness to cooperate. Your two co-inventors, who also are no longer working at Newbridge, have returned their executed documents. If you care to discuss this matter, please give me a call.

Regards,
John

John Granchelli wrote:

> Hi Amro:
>
> As we haven't heard from you, this is a reminder to sign and return the
> documents in connection with the TACs patent application. Shirley sent
> them to you a few weeks back. Let me know if you have any questions or
> concerns.
>
> Thanks, John

